

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

FRANK JAMES NETHERCUTT,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:21-CV-1678-MCE-DMC

ORDER

Plaintiff, who is proceeding with retained counsel, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On March 16, 2023, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge's analysis.


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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 16, 2023, are ADOPTED in full;
2. Plaintiff's motion for summary judgment, ECF No. 10, is DENIED;
3. Defendant's cross-motion for summary judgment, ECF No. 12, is GRANTED;
4. The Commissioner's final decision is AFFIRMED;
5. The Clerk of the Court is directed to enter judgment and close this file.

IT IS SO ORDERED.

Dated: April 5, 2023

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE